

FORM PTO-1390
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

1307-26

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/506869

INTERNATIONAL APPLICATION NO.

PCT/GB03/00989

INTERNATIONAL FILING DATE

7 March 2003

PRIORITY DATE CLAIMED

7 March 2002

TITLE OF INVENTION

BACTERIAL SPORES

APPLICANT(S) FOR DO/EO/US

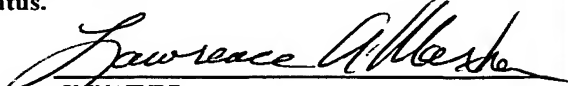
Simon Michael Cutting

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SURSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). **Unsigned**
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification.
16. ☒ A power of attorney and/or change of address letter. **Unsigned**
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
PCT Request; International Search Report; International Preliminary Examination Report

U.S. APPLICATION NO. (if known) 10/506869 INTERNATIONAL APPLICATION NO. PCT/DE02/02244				ATTORNEY'S DOCKET NUMBER 0740-068			
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY <table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none;">920.00</td> </tr> </table>		\$	920.00
\$	920.00						
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$			
Total claims	22 - 20 =	2	x \$18.00	\$	36.00		
Independent claims	4 - 3 =	1	x \$86.00	\$	86.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+	\$290.00		
TOTAL OF ABOVE CALCULATIONS =				\$	412.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$			
SUBTOTAL =				\$	1,332.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$			
TOTAL NATIONAL FEE =				\$	1,332.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$			
TOTAL FEES ENCLOSED =				\$	1,332.00		
				Amount to be refunded:	\$		
				charged:	\$		
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,332.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-0460</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.							
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.							
SEND ALL CORRESPONDENCE TO: <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> The Maxham Firm Symphony Towers 750 B Street, Suite 3100 San Diego, CA 92101 USA 619-233-9004 </div> <div style="width: 35%; text-align: center;">  SIGNATURE <u>Lawrence A. Maxham</u> NAME <u>24.483</u> REGISTRATION NUMBER </div> </div>							

10/506869

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A FILING UNDER 35 U.S.C. 371

In re

Applicant : SIMON MICHAEL CUTTING
U.S. Application No. : UNKNOWN
International Application No. : PCT/GB03/00989
International Filing Date : 7 March 2003 (07.03.03)
For : BACTERIAL SPORES
Priority Application Data : GB 0205378.3
Filed: 7 March 2002 (07.03.02)
Our Attorney/Docket Reference : 1307-26

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL LETTER

The below items are enclosed with this letter for filing the above-identified National Phase application:

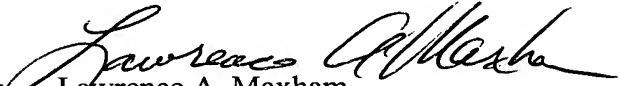
1. Express Mail Certification;
2. Transmittal Letter to the U.S. Designated/Elected Office (2 pages);
3. Declaration for Patent Application (2 pages) (Unexecuted);
4. Power of Attorney (1 page) (Unexecuted);
5. Preliminary Amendment (6 pages);
6. Redlined version of specification (substitute specification with amended claims) (32 pages);
7. Drawing (10 sheets);
8. Request (PCT/RO/101) (4 pages);
9. International Search Report (PCT/ISA/210) (4 pages);
10. International Preliminary Examination Report (PCT/IPEA 409) (10 pages);
11. Copy of Published International Application - WO 03/074682 A1 (39 pages);
12. Check for \$1332 filing fee; and
13. Return Postcard.

10/506869
DT04 Rec'd PCT/PTO 03 SEP 2004

The serial number of the Express Mail certificate is EL 898591448 US, mailed on 3 September 2004.

Respectfully submitted,

SIMON MICHAEL CUTTING

By: 
Lawrence A. Maxham
Reg. No. 24,483

THE MAXHAM FIRM

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DTOS Rec'd PCT/PTO 03 SEP 2004

10/506869

"EXPRESS MAIL" MAILING LABEL NO. EL 898591448 US

DATE OF DEPOSIT: 3 September 2004

I HEREBY CERTIFY THAT THESE PAPERS AND FEE ARE
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SERVICE UNDER 35 U.S.C. 371 ON THE DATE
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Belinda M. Owens

(NAME)

Belinda M. Owens

(SIGNATURE)